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SPECIAL
REPORT

Rhetoric vs. Reality: Republicans and Democrats on Gun Safety

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Rhetoric vs. Reality

Republicans and Democrats on Gun Safety

Recent polls and focus groups have suggested to Republicans that common-sense gun safety legislation — long championed by Democrats — is a top priority for the American people. In response, Republicans have adopted a strategy of blurring the lines between Democrats and Republicans on support for sensible gun safety measures.

Democrats know there are few gray areas when it comes to the positions of Democrats and Republicans on gun safety. The differences are black and white. This document highlights those differences by exposing Republican rhetoric and stating the reality that Democrats are the party fighting to protect Americans by keeping guns out of the hands of children, criminals, and the mentally ill.

Crime involving guns is down. In 1993 and 1994, Democrats passed effective, common-sense gun safety legislation in the face of fierce resistance from the gun lobby. As a result, violent crimes committed with guns — including homicides, robberies, and aggravated assaults — fell by 37 percent between 1993 and 1998, and the nation's violent crime rate has dropped by nearly 20 percent during the same period.¹ Further, by instituting a background check, this legislation has stopped more than 500,000 felons, fugitives, and other prohibited purchasers from getting guns — preventing untold crimes and violence.²

More needs to be done. Despite progress in the fight against crime, Democrats believe we must redouble our efforts, as gun violence continues to be an American tragedy.

- In 1997, 32,436 people died from gunshots in America.³
- An average of almost 12 children die every day from gunfire.⁴
- The gun homicide rate for children under 15 is sixteen times higher in the U.S. than in 25 other industrialized nations.⁵

In an effort to make our schools, streets and communities more safe, Democrats have advanced a comprehensive approach that includes common-sense gun legislation; tougher enforcement; and closing the loopholes that exist in current law.

Republican inaction. Meanwhile, Republicans have worked with the National Rifle Association (NRA) to offer watered-down measures designed to muddle the issues; used procedural tactics to delay action on meaningful gun safety legislation; and refused to consider a number of common-sense Democratic gun safety proposals.

The real difference between Republicans and Democrats. The differences between Democrats and Republicans are brought into sharp focus when one examines the gun safety initiatives on which Senate Democrats were successful in forcing roll call votes: 1) closing the gun show loophole; 2) safety locks; 3) enforcement efforts; 4) ammunition clips import ban; and 5) juvenile justice conference committee action. In each case, Republicans tried to delay, defeat, or water down the Democratic proposals.

While Republicans continue to employ these tactics, Senate Democrats will continue to pursue effective, common-sense gun safety initiatives.

Closing the Gun Show loophole

Democrats fight to close the gun show loophole. The *Brady Act* background check requirements do not apply to the thousands of guns sold by unlicensed gun dealers at gun shows. During the consideration of **S. 254**, *Violent and Repeat Juvenile Offender Accountability and Rehabilitation Act*, Democrats were successful in passing the **Lautenberg-Kerrey** amendment to **S. 254** that would close the gun show loophole to help keep guns out of the hands of criminals, children, and other prohibited purchasers.

Republicans resist. Ninety percent of Senate Republicans voted against the amendment to close the gun show loophole. Not only did Republicans not support this amendment, they worked with the gun lobby to *expand* the loophole and pass legislation that would have:

- weakened law enforcement's ability to conduct a background check on gun purchases at gun shows by dramatically shortening the amount of time in which to complete the check from three business days to 24 hours;

- defined gun shows so narrowly that the definition would not cover many events at which hundreds of guns are sold;
- ensured that gun shows remain a safe harbor for criminals who want to illegally traffic in firearms; and
- undermined State firearms laws by allowing Federally-licensed firearms dealers to sell guns in all 50 States and to ship guns to unlicensed buyers across State lines.

Safety Locks

Democrats pass safety lock measure. Safety locks and gun lock boxes can prevent crimes and accidental shootings. Nearly, 100 million privately-owned firearms are stored unlocked — 22 million of those are handguns which are left unlocked *and* loaded.⁶ Alarming, 24 percent of children between the ages of 10 and 17 say they can gain access to a gun in their home, and the Center for Disease Control estimates that almost 1.2 million elementary school-aged children return from school to a home where there is no adult supervision but at least one firearm.⁷

Democrats believe that every handgun sold in the United States by a licensed gun dealer should be sold with a safety device. To this end, Senate Democrats passed the **Kohl** amendment to **S. 254** which prohibits the sale or transfer by a licensed dealer of a handgun without a secure gun storage or safety device. This balanced initiative:

- requires the sale of child safety locks only with handguns rather than with every firearm;
- gives gun owners the flexibility to select among a variety of commercially available safety devices tailored to their needs, including gun safes and devices that indeed can be used on loaded guns.

Significant numbers of Republicans voted “no.” Despite the fact that the **Kohl** amendment is a moderate, common-sense step forward, nearly 40 percent of Senate Republicans opposed this legislation.

Enforcement Efforts

Democrats work to enhance enforcement efforts. Senate Democrats believe we should redouble our efforts to enhance enforcement of gun safety laws. During consideration of the *FY 2001 Budget Resolution*, Democrats supported the **Durbin** amendment which would have provided \$284 million for a comprehensive gun enforcement initiative. This initiative includes:

- \$94 million in funding for five hundred new ATF agents and inspectors to target gun dealers to whom a large number of gun crimes are traced and crack down on the violent gun criminals and illegal gun traffickers at gun shows, gun stores, and on the streets;
- \$165 million to fund more than 1,000 local, state, and federal prosecutors to expand the federal, state, and local partnership in high gun-crime areas;
- \$6 million in funding for ballistics testing programs to support the deployment of ballistic imaging units to law enforcement, which help link bullets and shell casings to the criminal guns from which they were discharged;
- \$10 million in funding to further develop, test, and replicate “smart gun” technologies, which could limit a gun’s use to its owner or other authorized users and help prevent accidental shooting deaths of or by children; and
- \$10 million to fund matching grants to support local media campaigns on gun violence and gun safety, including proper gun storage.

Republicans offer a half measure. While Republicans are quick to attack the Clinton Administration’s enforcement record, they are slow to offer a comprehensive package to improve enforcement of gun safety laws. Senate Republicans supported the Craig second-degree amendment to the *FY 2001 Budget Resolution* – a half-measure designed to muddle the differences between the Democrats and Republicans on the issue of enforcement.

Although the Craig amendment attempted to mimic many of the proposals included in the **Durbin** amendment, this measure did not provide funding for 500 ATF agents and inspectors.

A comprehensive law enforcement initiative designed to effectively pursue offenders of existing federal firearms laws must include funding for additional ATF agents and inspectors. Without a sufficient number of agents on the front line fighting violent crime and interstate gun running, prosecutions and other law enforcement initiatives will not be as effective.

Despite this obvious shortcoming, ninety-eight percent of Republicans voted for the Craig amendment, which stripped out funding for the agents and inspectors provided by the **Durbin** amendment.

Ammunition Clips Import Ban

Democrats work to close the ammunition clip loophole. Under current law, U.S. manufacturers are already prohibited from manufacturing large-capacity ammunition clips for sale to the general public. However, a loophole in the law allows foreign companies to import large-capacity ammunition clips into the United States. Democrats realize that it is both illogical and irresponsible to permit foreign companies to sell items to the American public — particularly items that are so often used for deadly purposes — that U.S. companies are prohibited from selling.

During consideration of **S. 254**, Senator **Feinstein** offered an amendment that would close this loophole and bring foreign companies into compliance with the intent of U.S. law. Ninety percent of Democrats supported the Feinstein amendment, ensuring its passage.

Republicans employ procedural tactics in an effort to kill the Feinstein amendment. The Republican leadership offered no alternative to the **Feinstein** amendment and, instead, attempted to kill the legislation. First, in an effort to undermine support for the **Feinstein** amendment, the Republican leadership offered an amendment that co-opted a popular portion of the **Feinstein** amendment to ban juvenile possession of assault weapons and ammunition clips. Next, Republicans moved to table the pared-down **Feinstein** amendment. Finally, over sixty percent of Senate Republicans voted to kill the legislation. Despite these procedural games, the Republican leadership was defeated in its efforts to defeat the **Feinstein** amendment.

Juvenile Justice Conference Committee Action

More than a year has passed since the Senate passed **S. 254**, which contains critical provisions that would close the gun show loophole; prohibit the sale or transfer by a licensed dealer of a handgun without a secure gun storage or safety device; close the loophole in the law that permits the importation of large-capacity ammunition clips; and keep guns out of the hands of serious juvenile offenders by banning gun sales to juveniles with violent crime records.

Republicans delay action on S. 254. Since that time, the Republican leadership has yet to convene a single substantive meeting of the conference committee. Earlier this year, Senate Democrats responded to this outrageous delay and passed two Sense of the Senate amendments calling on the conference committee to take action on this legislation.

Democrats support quick action on S. 254. On April 6, 2000, Senate Democrats passed the **Reed** Amendment to the *FY 2001 Budget Resolution*. This Sense of the Senate amendment calls on the conference committee to complete and submit its report before April 20, and to include the Senate-passed amendments that would limit access to firearms by juveniles, convicted felons, and other persons prohibited by law from purchasing or possessing firearms.

On May 17, 2000, Senate Democrats passed the **Daschle** Amendment to the *FY 2001 Military Construction Appropriations bill*. This Sense of the Senate amendment: 1) calls on Congress to immediately pass a conference report to the Juvenile Justice legislation, before the Memorial Day Recess and include the **Lautenberg-Kerrey** gun show loophole amendment and other Senate-passed provisions designed to limit access to access to firearms by juveniles, convicted felons, and other persons prohibited by law from purchasing or possessing firearms; and 2) commends the organizers, sponsors, and participants of the Million Mom March for rallying to demand sensible gun safety legislation.

While Democrats voted for this important gun safety legislation, Republicans voted to continue to stall and delay: 84 percent of Senate Republicans voted against the **Reed** Amendment and 87 percent voted against the **Daschle** amendment.

Unlike Republicans, Democrats Support Immediate Passage of Reasonable Gun Safety Measures

Democrats stand for a comprehensive approach to gun safety that includes passing common-sense gun legislation; tougher enforcement; and closing the loopholes that exist in current law. Ignoring the calls of the American people, Republicans are working with the gun lobby to preserve the status quo by delaying, weakening, or defeating the Democratic proposals.

While Republicans employ delay tactics, Democrats realize that we have waited too long to enact measures that will make our schools, communities, and streets more safe. Senate Democrats will continue to fight for swift and decisive action on these critical initiatives.

End Notes

¹FBI, *Uniform Crime Report* data.

²Department of Justice, "More Than Half a Million Illegal Gun Purchases Stopped by Brady Background Checks," March 15, 2000.

³National Center for Health Statistics.

⁴National Center for Health Statistics.

⁵Department of Justice, *Kids and Guns*, March 7, 2000.

⁶Office of Senator Herb Kohl, 1999 data.

⁷Office of Senator Herb Kohl, 1999 data and Handgun Control.